1 The Honorable James L. Robart 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 WESTERN DISTRICT OF WASHINGTON AT SEATTLE 9 LYNN NUNNALLY, 10 No. C07-1323JLR Plaintiff, 11 STIPULATION AND PROPOSED ORDER FOR EXTENSION OF v. 12 PRETRIAL DEADLINES XO COMMUNICATIONS, a Delaware 13 Corporation; ABC CORPORATION and JOHN DOES 1-10, 14 Defendants. 15 16 17 **STIPULATION** 18 COME NOW the parties, by and through their attorneys of record, and hereby move 19 the Court to extend certain pretrial deadlines. The parties stipulate as follows: 20 1. Trial is currently set for February 17, 2009. The proposed changes to the 21 current case schedule should not affect trial date. 22 The parties agree that the current discovery cutoff should be continued from 2. 23 October 20, 2008, until December 4, 2008. Both parties agree to extend the discovery 24 deadline because plaintiff's counsel had a trial that prevented discovery from being completed 25

by the current deadline. The parties agreed to continue discovery to accommodate the

scheduling conflict.

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- 3. The parties agree that the current deadline to file dispositive motions should be extended from November 19, 2008 to December 26, 2008, to give the parties additional time to complete discovery and obtain the transcripts and supporting documents necessary for preparing any dispositive motions.
 - 4. The parties have not requested another extension in this case. Respectfully submitted this 30th day of October, 2008.

Davis Wright Tremaine LLP Attorneys for Defendant XO Communications

By

Gregory Hendershott, WSBA # 27838 Boris Gaviria, WSBA No. 31251 777 108th Ave. NE, Suite 2300 Bellevue, WA 98004

Telephone: (425) 646-6100

Fax: (425) 646-6199

gregoryhendershott@dwt.com

borisgaviria@dwt.com

McKay Huffington & Tyler PLLC

Attorneys for Plaintiff

ByJean E. Huffington, WSBA#19734

14205 SE 36th St Ste 325 Bellevue, WA 98006-1505 Telephone: (206) 903-8600

Fax: (206) 903-8520

ieh@mckayhuffington.com

Davis Wright Tremaine LLP

1 **ORDER** 2 The Court finds itself fully advised and hereby ORDERS: 3 The discovery cutoff in this case is extended to December 4, 2008. The dispositive 4 motions filing deadline is extended to December 26, 2008. The case schedule otherwise 5 remains unchanged. 6 DATED this day of , 2008. 7 8 9 JUDGE JAMES L. ROBART 10 11 Presented by: 12 By Gregory Hendershott, WSBA # 27838 13 Boris Gaviria, WSBA No. 31251 777 108th Ave. NE, Suite 2300 14 Bellevue, WA 98004 15 Telephone: (425) 646-6100 Fax: (425) 646-6199 16 gregoryhendershott@dwt.com borisgaviria@dwt.com 17 18 Approved as to form and content: 19 McKay Huffington & Tyler PLLC 20 Attorneys for Plaintiff 21 Jean E. Huffington, WSBA # 19734 22 14205 SE 36th St Ste 325 Bellevue, WA 98006-1505 23 Telephone: (206) 903-8600 24 Fax: (206) 903-8520 jeh@mckayhuffington.com 25 26

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